

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24, and 483A.24B, the Natural Resource Commission hereby amends Chapter 106, "Deer Hunting by Residents," Iowa Administrative Code.

Chapter 106 sets regulations for deer hunting by residents and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

The amendments eliminate the January antlerless-deer-only season, reduce antlerless-deer-only quotas in 72 counties by 10,000 from the number of licenses sold in 2013, and restrict hunters in 27 counties to taking only antlered deer during the early muzzleloader and first shotgun seasons. These amendments are designed to reduce the rate of decline in deer numbers in those counties whose deer populations have been reduced to levels that were agreed to in 2009 by the Deer Study Advisory Group (DSAG). The DSAG was created to review, analyze, and make recommendations on issues relating to the state's deer population.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 28, 2014, as **ARC 1475C**. A public hearing was held on June 17, 2014. Approximately 250 comments were received from the public during the comment period, and nearly two-thirds of those comments supported the proposed changes.

The following changes were made to the amendments published under Notice:

Throughout the amendments, proposed references to "regular deer" licenses and seasons were changed to "general deer" licenses and seasons.

In Item 1, in the last sentence of paragraph 106.1(1)"a," the phrase "for taking deer of either sex" has been added for clarification.

New Items 9 and 11 were added to the rule making in order to implement 2014 Iowa Acts, House File 499, which became effective on July 1, 2014. 2014 Iowa Acts, House File 499, requires the Department to make crossbows a legal weapon during the late muzzleloader season. Proposed Items 9 and 10 have been renumbered as Items 10 and 12.

These amendments will have a neutral impact on jobs in the state. Even though the Commission is reducing the number of available antlerless-deer-only licenses, there should not be a noticeable change in deer hunting. The new quotas are designed to reduce the rate of decline of the deer population. Thus, the private sector job impact should remain the same even with this rule making. The following types of jobs are positively impacted by deer hunting generally (and should see no noticeable change due to this rule making): hunting equipment retailers (weapons, ammunition, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; taxidermists; and restaurants, hotels, and gas stations for hunters traveling around the state.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48(1), 483A.8, 483A.8B, 483A.8C, 483A.24 and 483A.24B.

These amendments will become effective September 10, 2014.

The following amendments are adopted.

ITEM 1. Amend subrules 106.1(1) to 106.1(4) as follows:

106.1(1) Type of license.

a. ~~Any-deer~~ General deer licenses. ~~Any-deer~~ General deer licenses shall be valid for taking deer ~~of either sex~~ in one season selected at the time the license is purchased. General deer licenses shall be valid for taking deer of either sex except in Buena Vista, Calhoun, Cerro Gordo, Cherokee, Clay, Dickinson, Emmet, Franklin, Grundy, Hamilton, Hancock, Hardin, Humboldt, Ida, Kossuth, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Webster, Winnebago, Worth and Wright counties during the early muzzleloader or first regular gun season when the general deer license will be valid for taking deer with at least one forked antler. Paid ~~any-deer~~ general deer licenses shall

be valid statewide except where prohibited in deer population management zones established under 571—Chapter 105. Free ~~any-deer~~ general deer licenses shall be valid for taking deer of either sex only on the farm unit of an eligible landowner or tenant in the season or seasons selected at the time the license is obtained.

b. Antlerless-deer-only licenses. Antlerless-deer-only licenses shall be valid for taking deer that have no forked antler. Paid antlerless-deer-only licenses shall be valid in one county or in one deer population management zone and in one season as selected at the time the license is purchased. Free and reduced-fee antlerless-deer-only licenses shall be valid on the farm unit of an eligible landowner or tenant in the season or seasons selected at the time the license is obtained.

106.1(2) Bow season licenses. ~~Any-deer~~ General deer and antlerless-deer-only licenses, paid or free, shall be valid in both segments of the bow season.

106.1(3) Regular gun season licenses. Paid ~~any-deer~~ general deer and antlerless-deer-only licenses shall be valid in either the first or the second regular gun season, as designated on the license. Free ~~any-deer~~ general deer licenses and antlerless-deer-only licenses shall be valid in both the first and second regular gun seasons.

106.1(4) Muzzleloader season licenses. ~~Any-deer~~ General deer and antlerless-deer-only licenses, paid or free, shall be valid in either the early or the late muzzleloader season, as designated on the license.

ITEM 2. Rescind and reserve subrule **106.1(6)**.

ITEM 3. Amend subrule 106.1(7) as follows:

106.1(7) Free and reduced-fee deer licenses for landowners and tenants. A maximum of one free ~~any-deer~~ general deer license, two free antlerless-deer-only licenses, and two reduced-fee antlerless-deer-only licenses may be issued to a qualifying landowner or eligible family member and a qualifying tenant or eligible family member. Eligibility for licenses is described in 571—106.12(481A). The free ~~any-deer~~ general deer license shall be available for one of the following seasons: the youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, or first and second regular gun seasons. One free antlerless-deer-only license shall be available for one of the following seasons: youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, or first and second regular gun seasons. The second free antlerless-deer-only license shall be valid only for the January antlerless-deer-only season and will be available only if a portion of the farm unit lies within a county where paid antlerless-deer-only licenses are available during that season. Each reduced-fee antlerless-deer-only license shall be valid for one of the following seasons: youth/disabled hunter season (if eligible), bow season, early muzzleloader season, late muzzleloader season, first and second regular gun seasons, or January antlerless-deer-only season. January antlerless-deer-only licenses will be available only if a portion of the farm unit is located in a county where paid antlerless-deer-only licenses are available in that season.

ITEM 4. Rescind and reserve subrules **106.2(5)** and **106.4(5)**.

ITEM 5. Amend subrule 106.6(1) as follows:

106.6(1) Paid ~~any-deer~~ general deer licenses. Residents may purchase no more than two paid ~~any-deer~~ general deer licenses, one for the bow season and one for one of the following seasons: early muzzleloader season, late muzzleloader season, first regular gun season, or second regular gun season. No more than 7,500 paid statewide ~~any-deer~~ general deer licenses will be sold for the early muzzleloader season. Fifty additional paid early muzzleloader season licenses will be sold through and will be valid only for the Iowa Army Ammunition Plant. There will be no quota on the number of paid ~~any-deer~~ general deer licenses issued in the bow season, late muzzleloader season, first regular gun season, or second regular gun season.

ITEM 6. Amend paragraph **106.6(2)“b”** as follows:

b. No one may obtain paid licenses for both the first regular gun season and second regular gun season regardless of whether the licenses are valid for any deer or antlerless deer only. Paid antlerless-deer-only licenses for the early muzzleloader season may only be purchased by hunters who

have already purchased one of the 7,500 paid statewide ~~any-deer~~ general deer licenses. Hunters who purchase one of the 7,500 paid statewide ~~any-deer~~ general deer licenses for the early muzzleloader season may not obtain paid antlerless licenses for the first or second regular gun season.

ITEM 7. Rescind and reserve subrule **106.6(4)**.

ITEM 8. Amend subrule 106.6(6) as follows:

106.6(6) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county for the ~~2013~~ 2014 deer season as follows:

County	Quota	County	Quota	County	Quota
Adair	2400 <u>1025</u>	Floyd	0	Monona	2500 <u>850</u>
Adams	1950 <u>1450</u>	Franklin	0	Monroe	3000 <u>1950</u>
Allamakee	4500 <u>2975</u>	Fremont	600 <u>525</u>	Montgomery	1050 <u>750</u>
Appanoose	3300 <u>2200</u>	Greene	150 <u>0</u>	Muscatine	1175 <u>775</u>
Audubon	100 <u>0</u>	Grundy	0	O'Brien	0
Benton	650 <u>325</u>	Guthrie	3300 <u>1950</u>	Osceola	0
Black Hawk	0	Hamilton	100 <u>0</u>	Page	950 <u>750</u>
Boone	650 <u>450</u>	Hancock	0	Palo Alto	0
Bremer	1000 <u>650</u>	Hardin	200 <u>0</u>	Plymouth	100 <u>0</u>
Buchanan	250 <u>200</u>	Harrison	2500 <u>850</u>	Pocahontas	0
Buena Vista	0	Henry	1025 <u>925</u>	Polk	1500 <u>1350</u>
Butler	0	Howard	350 <u>200</u>	Pottawattamie	1300 <u>850</u>
Calhoun	0	Humboldt	0	Poweshiek	500 <u>300</u>
Carroll	100 <u>0</u>	Ida	0	Ringgold	2600 <u>2200</u>
Cass	550 <u>400</u>	Iowa	775 <u>450</u>	Sac	0
Cedar	1025 <u>775</u>	Jackson	1250 <u>675</u>	Scott	500 <u>200</u>
Cerro Gordo	0	Jasper	1700 <u>775</u>	Shelby	400 <u>225</u>
Cherokee	0	Jefferson	2150 <u>1650</u>	Sioux	0
Chickasaw	450 <u>375</u>	Johnson	1400 <u>850</u>	Story	500 <u>150</u>
Clarke	2500 <u>2100</u>	Jones	975 <u>525</u>	Tama	500 <u>200</u>
Clay	0	Keokuk	1900 <u>450</u>	Taylor	2650 <u>2200</u>
Clayton	3200 <u>2775</u>	Kossuth	0	Union	2100 <u>1500</u>
Clinton	825 <u>400</u>	Lee	1400 <u>1275</u>	Van Buren	5400 <u>3800</u>
Crawford	300 <u>150</u>	Linn	1300 <u>850</u>	Wapello	2150 <u>1825</u>
Dallas	2700 <u>1875</u>	Louisa	850 <u>775</u>	Warren	4200 <u>2200</u>
Davis	3600 <u>2800</u>	Lucas	2800 <u>2200</u>	Washington	2250 <u>750</u>
Decatur	2800 <u>2200</u>	Lyon	0	Wayne	3000 <u>2200</u>
Delaware	975 <u>525</u>	Madison	4000 <u>2100</u>	Webster	100 <u>0</u>
Des Moines	900 <u>800</u>	Mahaska	1350 <u>475</u>	Winnebago	0
Dickinson	0	Marion	2250 <u>1650</u>	Winneshiek	3500 <u>1975</u>
Dubuque	1375 <u>725</u>	Marshall	500 <u>150</u>	Woodbury	2500 <u>850</u>
Emmet	0	Mills	950 <u>750</u>	Worth	0
Fayette	1650 <u>1500</u>	Mitchell	0	Wright	0

ITEM 9. Amend subrule 106.7(3) as follows:

106.7(3) Muzzleloader seasons. Only muzzleloading rifles and muzzleloading pistols will be permitted for taking deer during the early muzzleloader season. During the late muzzleloader season, deer may be taken with a muzzleloader, centerfire handgun, crossbow or bow as described in 106.7(1).

Muzzleloading rifles are defined as flintlock or percussion cap lock muzzleloaded rifles and muskets of not less than .44 and not larger than .775 caliber, shooting single projectiles only. Centerfire handguns must be .357 caliber or larger shooting straight-walled cartridges propelling an expanding-type bullet (no full-metal jacket) and complying with all other requirements provided in Iowa Code section 481A.48. Legal handgun calibers are listed on the department of natural resources list of Acceptable Handgun Calibers for Hunting Deer in Iowa. Revolvers, pistols and black powder handguns must have a 4-inch minimum barrel length. There can be no shoulder stock or long-barrel modifications to handguns. Muzzleloading handguns must be .44 caliber or larger, shooting single projectiles only. Crossbow means a weapon consisting of a bow mounted transversely on a stock or frame and designed to fire a bolt, arrow, or quarrel by the release of the bow string, which is controlled by a mechanical trigger and a working safety. Crossbows equipped with pistol grips and designed to be fired with one hand are illegal for taking or attempting to take deer. All projectiles used in conjunction with a crossbow for deer hunting must be equipped with a broadhead with at least three blades.

ITEM 10. Rescind and reserve subrule **106.7(5)**.

ITEM 11. Amend subrule 106.7(6) as follows:

106.7(6) Prohibited weapons and devices. The use of dogs, domestic animals, bait, rifles other than muzzleloaded or as provided in 106.7(5), handguns except as provided in 106.7(3), crossbows except as provided in 106.7(1) and 106.7(3), automobiles, aircraft, or any mechanical conveyance or device, including electronic calls, is prohibited, except that paraplegics and single or double amputees of the legs may hunt from any stationary motor-driven land conveyance. “Bait” means grain, fruit, vegetables, nuts, hay, salt, mineral blocks, or any other natural food materials; commercial products containing natural food materials; or by-products of such materials transported to or placed in an area for the intent of attracting wildlife. Bait does not include food placed during normal agricultural activities. “Paraplegic” means an individual with paralysis of the lower half of the body with involvement of both legs, usually due to disease or injury to the spinal cord. It shall be unlawful for a person, while hunting deer, to carry or have in possession a rifle except as provided in 106.7(3) and 106.7(5). It shall be unlawful for a person hunting with a bow license to carry a handgun unless that person also has a valid deer hunting license and an unfilled transportation tag that permits a handgun to be used to take deer.

ITEM 12. Amend subrule 106.10(1) as follows:

106.10(1) Licenses.

a. Youth deer hunt. A youth deer license may be issued to any Iowa resident who is not over 15 years old on the day the youth obtains the license. The youth license may be paid or free to persons eligible for free licenses. If the youth obtains a free landowner/tenant license, it will count as the one free ~~any-deer~~ general deer license for which the youth’s family is eligible.

Each participating youth must be accompanied by an adult who possesses a regular hunting license and has paid the habitat fee (if the adult is normally required to have a hunting license and to pay the habitat fee to hunt). Only one adult may participate for each youth hunter. The accompanying adult must not possess a firearm or bow and must be in the direct company of the youth at all times.

A person may obtain only one youth ~~any-deer~~ general deer license but may also obtain any other paid or free ~~any-deer~~ general deer and antlerless-deer-only licenses that are available to other hunters. Antlerless-deer-only licenses must be obtained in the same manner with which other hunters obtain them, as described in 106.6(2).

b. Severely disabled hunt. Any severely disabled Iowa resident meeting the requirements of Iowa Code section 321L.1(8) may be issued one ~~any-deer~~ general deer license to hunt deer during the youth season. A person applying for this license must either possess a disability parking permit or provide a completed form from the department of natural resources. The form must be signed by a physician verifying that the person’s disability meets the criteria defined in Iowa Code section 321L.1(8). Forms are available online at ~~www.iowadnr.com~~ www.iowadnr.gov, by visiting the DNR ~~central office~~ offices at the Wallace State Office Building or any district office, or by calling (515)281-5918. A person between 16 and 65 years of age must also possess a regular hunting license and have paid the habitat fee to obtain a license (if normally required to have a hunting license and to pay the habitat fee to hunt). A severely

disabled person obtaining this license may obtain any other paid and free ~~any-deer~~ general deer and antlerless-deer-only licenses that are available to other hunters. Antlerless-deer-only licenses must be obtained in the same manner by which other hunters obtain them, as described in 106.6(2).

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